

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02410-TSC**

DISTRICT OF COLUMBIA v. UNITED STATES
IMMIGRATION AND CUSTOMS ENFORCEMENT
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 10/22/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**DISTRICT OF COLUMBIA**

represented by **Jimmy R. Rock**
OFFICE OF THE ATTORNEY
GENERAL FOR THE DISTRICT OF
COLUMBIA
441 Fourth Street, NW
Suite 600-S
Washington, DC 20001
(202) 741-0770
Email: jimmy.rock@dc.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Alacoque Hinga Nevitt
OFFICE OF THE ATTORNEY
GENERAL/DISTRICT OF COLUMBIA
441 4th Street, NW
630 South
Washington, DC 20001
(202) 724-6532
Email: Alacoque.Nevitt@dc.gov
ATTORNEY TO BE NOTICED

Randolph T. Chen
DISTRICT OF COLUMBIA/ OFFICE OF
THE ATTORNEY GENERAL
441 4th Street, NW
Suite 630S
Washington, DC 20001
(202) 442-9854
Email: Randolph.Chen@dc.gov
ATTORNEY TO BE NOTICED

V.

Defendant**UNITED STATES IMMIGRATION
AND CUSTOMS ENFORCEMENT**

represented by **Paul Cirino**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2529
Fax: (202) 252-2599
Email: paul.cirino@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
------------	---	-------------

10/22/2018	<u>1</u>	COMPLAINT against UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Fee Status:Filing Fee Waived) filed by DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C)(Rock, Jimmy) (Attachment 1 replaced on 10/23/2018) (jf). (Entered: 10/22/2018)
10/22/2018		Case Assigned to Judge Tanya S. Chutkan. (zmd) (Entered: 10/23/2018)
10/24/2018	<u>2</u>	SUMMONS (1) Issued Electronically as to UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachment: # <u>1</u> Notice and Consent)(zjd) (Entered: 10/24/2018)
11/26/2018	<u>3</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT served on 10/30/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/31/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/31/2018. (Answer due for ALL FEDERAL DEFENDANTS by 11/30/2018.) (Attachments: # <u>1</u> Exhibit)(Rock, Jimmy) (Entered: 11/26/2018)
11/30/2018	<u>4</u>	NOTICE of Appearance by Paul Cirino on behalf of All Defendants (Cirino, Paul) (Entered: 11/30/2018)
11/30/2018	<u>5</u>	ANSWER to Complaint by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT.(Cirino, Paul) (Entered: 11/30/2018)
11/30/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues no later than 1/8/19. The joint status report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 11/30/18. (DJS) (Entered: 11/30/2018)
12/03/2018		Set/Reset Deadlines: Joint Status Report due by 1/8/2019. (tb) (Entered: 12/03/2018)
01/04/2019	<u>6</u>	MOTION to Stay <i>in Light of Lapse in Appropriations</i> by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Cirino, Paul) (Entered: 01/04/2019)
01/07/2019		MINUTE ORDER: Denying <u>6</u> Without Prejudice Motion to Stay for failure to comply with Local Civil Rule 7(c), which requires that "[e]ach motion... shall be accompanied by a proposed order." Signed by Judge Tanya S. Chutkan on 1/7/19. (DJS) (Entered: 01/07/2019)
01/07/2019	<u>7</u>	MOTION to Stay (<i>Defendant's Motion to Stay Proceedings in Light of Lapse in Appropriations</i>) by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 01/07/2019)
01/08/2019	<u>8</u>	STATUS REPORT by DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Text of Proposed Order)(Rock, Jimmy) (Entered: 01/08/2019)
01/17/2019		MINUTE ORDER: Granting Defendant's Motion to Stay <u>7</u> . Defendants' counsel shall notify the court within seven days after Congress has appropriated funds for the Justice Department. It is further ordered that all current deadlines for the parties shall be extended commensurate with the duration of the lapse in appropriations. Signed by Judge Tanya S. Chutkan on 1/17/19. (DJS) (Entered: 01/17/2019)
01/29/2019	<u>9</u>	NOTICE of Restored Government Funding by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Cirino, Paul) (Entered: 01/29/2019)

02/12/2019	<u>10</u>	Joint STATUS REPORT by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 02/12/2019)
02/26/2019		MINUTE ORDER: Having considered the parties' joint status report <u>10</u> , it is hereby ordered that the parties shall file another joint status report 3/12/19. The report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 2/26/19. (DJS) (Entered: 02/26/2019)
02/27/2019		Set/Reset Deadlines: Joint Status Report due by 3/12/2019. (tb) (Entered: 02/27/2019)
03/12/2019	<u>11</u>	Joint STATUS REPORT by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 03/12/2019)
03/14/2019		MINUTE ORDER LIFTING STAY: Effective 1/25/19. The parties shall file another joint status report by April 26, 2019. The report shall be accompanied by a proposed order. Signed by Judge Tanya S. Chutkan on 3/14/19. (DJS) (Entered: 03/14/2019)
04/26/2019	<u>12</u>	Joint STATUS REPORT by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Cirino, Paul) (Entered: 04/26/2019)
05/07/2019		MINUTE ORDER: Having considered the parties' joint status report <u>12</u> , it is hereby ordered that the parties shall submit another joint report by May 17, 2019, and every 60 days thereafter. To the extent the joint report contains a proposed production schedule or briefing schedule, the report shall include a proposed order. Signed by Judge Tanya S. Chutkan on 5/7/19. (DJS) (Entered: 05/07/2019)
05/08/2019		Set/Reset Deadlines: Joint Status Report due by 5/17/2019. (tb) (Entered: 05/08/2019)
05/17/2019	<u>13</u>	Joint STATUS REPORT by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 05/17/2019)
06/12/2019	<u>14</u>	PROPOSED BRIEFING SCHEDULE (<i>JOINT</i>) by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Text of Proposed Order)(Cirino, Paul) (Entered: 06/12/2019)
06/13/2019		MINUTE ORDER: Having considered the parties' joints status report <u>14</u> , it is hereby ordered the parties shall adhere to the following briefing schedule: Defendant's Motion for Summary Judgment due August 12, 2019. Plaintiff's combined Cross-Motion/Opposition due September 12, 2019. Defendant's combined Opposition/Reply due October 11, 2019. Plaintiff's Reply due October 25, 2019. Signed by Judge Tanya S. Chutkan on 6/13/19. (DJS) (Entered: 06/13/2019)
06/17/2019		Set/Reset Deadlines: Cross Motion due by 9/12/2019. Response to Cross Motion due by 10/11/2019. Reply to Cross Motion due by 10/25/2019. Summary Judgment motion due by 8/12/2019. Response to Motion for Summary Judgment due by 9/12/2019. Reply to Motion for Summary Judgment due by 10/11/2019. (tb) (Entered: 06/17/2019)
07/31/2019	<u>15</u>	NOTICE of Appearance by Randolph T. Chen on behalf of DISTRICT OF COLUMBIA (Chen, Randolph) (Entered: 07/31/2019)
08/12/2019	<u>16</u>	MOTION for Summary Judgment by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Toni Fuentes (and Exhibits 1-7), # <u>3</u> Statement of Facts, # <u>4</u> Text of Proposed Order)(Cirino, Paul) (Entered: 08/12/2019)
09/09/2019	<u>17</u>	ERRATA by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT <u>16</u> MOTION for Summary Judgment filed by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Cirino, Paul) (Entered: 09/09/2019)
09/11/2019	<u>18</u>	NOTICE of Appearance by Alacoque Hinga Nevitt on behalf of DISTRICT OF COLUMBIA (Nevitt, Alacoque) (Entered: 09/11/2019)
09/12/2019	<u>19</u>	Cross MOTION for Summary Judgment by DISTRICT OF COLUMBIA (Attachments: # <u>1</u> Text of Proposed Order)(Nevitt, Alacoque) (Entered: 09/12/2019)

09/12/2019	<u>20</u>	RESPONSE re <u>16</u> MOTION for Summary Judgment filed by DISTRICT OF COLUMBIA. (Attachments: # <u>1</u> Text of Proposed Order)(Nevitt, Alacoque) (Entered: 09/12/2019)
10/11/2019	<u>21</u>	Memorandum in opposition to re <u>19</u> Cross MOTION for Summary Judgment filed by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Response to Plaintiff's Statement of Additional Undisputed Material Facts)(Cirino, Paul) (Entered: 10/11/2019)
10/11/2019	<u>22</u>	REPLY to opposition to motion re <u>16</u> MOTION for Summary Judgment filed by UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT. (Attachments: # <u>1</u> Response to Plaintiff's Statement of Additional Undisputed Material Facts)(Cirino, Paul) (Entered: 10/11/2019)
10/25/2019	<u>23</u>	REPLY to opposition to motion re <u>19</u> Cross MOTION for Summary Judgment filed by DISTRICT OF COLUMBIA. (Nevitt, Alacoque) (Entered: 10/25/2019)